

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

TY ANDREW LEGG,

Defendant-Appellant.

UNPUBLISHED

December 19, 1997

No. 185417

Clinton Circuit Court

LC No. 94-005789 FH

Before: O'Connell, P.J., and White and C. F. Youngblood*, JJ.

MEMORANDUM.

Defendant appeals by right his conviction by jury of two counts of false pretenses over \$100. MCL 750.218; MSA 28.415. We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

Defendant first contends that there was insufficient evidence adduced at the preliminary examination to warrant his bindover with respect to the two offenses of which he stands convicted. We disagree. Defendant's employer's testimony regarding his instructions to defendant and defendant's representations to him was adequate to support the bindover.

Defendant also asserts that he was deprived of a fair trial where the prosecutor elicited from a government witness, who was incarcerated and had struck a bargain with the government in exchange for his testimony, that the witness had agreed to testify truthfully and was testifying truthfully. Defendant's argument is without merit, and fails to cite the controlling, contrary authority of *People v Bahoda*, 448 Mich 261, 276-277; 531 NW2d 659 (1995).

Affirmed.

/s/ Peter D. O'Connell

/s/ Helene N. White

/s/ Carole F. Youngblood

* Circuit judge, sitting on the Court of Appeals by assignment.